

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

October 2, 2003

DIVISION TWO

B160041 Blue Dolphin Entertainment Co. (Not for Publication)
v.
Walters, et al.

The default judgment is reversed and remanded. Walters and WRI shall recover their costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

B151995 Seaspn Inc. (Not for Publication)
v.
Giacomini, et al.

The orders and judgments of the trial court are affirmed. The JM Defendants and the PBA Group are awarded reasonable attorney fees incurred in connection with this appeal. All respondents are awarded costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Nott, J.

October 2, 2003 (Continued)

DIVISION TWO (Continued)

B158777 Marshall (Not for Publication)
v.
California Department of Health Services

The portion of the judgment upholding the suspension of Marshall's Medical privileges is affirmed. The portion of the judgment requiring the Department to release the withheld funds is reversed. The parties shall bear their own costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

DIVISION THREE

B161047 People (Not for Publication)
v.
Barrett

The judgment is reversed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B160927 People (Not for Publication)
v.
Morrison

The judgment is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (Continued)

B162851 People (Not for Publication)
v.
Gilbert E.

The order of wardship is modified by striking eight months from the court's calculation of appellant's maximum theoretical period of confinement, with the result that appellant's total maximum theoretical period of confinement is six years for count one, and by modifying probation condition numbers 15, 16, and 21, as reflected in the preceding paragraph and, as modified, the order of wardship is affirmed.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B163967 People (Not for Publication)
B162738 v.
Maslan

The judgment is affirmed, except that Maslan's sentence is vacated, the matter is remanded, and the sentencing court is directed to resentence Maslan in a manner consistent with this opinion. The sentencing court is also directed to forward to the Department of Corrections an amended abstract of judgment reflecting the resentencing.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

B163199 People (Not for Publication)
v.
Carlos G.

The order of wardship is modified by modifying appellant's probation conditions as reflected in the preceding paragraph and, as modified, the order of wardship is affirmed.

Croskey, J.

We concur: Klein, P.J.
Aldrich, J.

DIVISION FOUR

B165619 In re Noel Philippe Scott on Habeas Corpus (Not for Publication)

The petition is granted. The Director is directed to annul the challenged discipline of 90-day conduct credit loss and to adjust Scott's credits accordingly.

Curry, J.

We concur: Epstein, Acting P.J.
 Hastings, J.

DIVISION FIVE

B166181 Department of Children's and Family Services (Certified for Publication)
 v.
 Superior Court, Los Angeles County
 (Cheryl M., r.p.i.)

The petition for writ of mandate is denied. The stay of the disposition hearing on the Welfare and Institutions Code section 387 petition, issued May 29, 2003, is vacated.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

B162787 People (Not for Publication)
 v.
 Augustine Zamora

The judgment is affirmed.

Mosk, J.

We concur: Grignon, Acting P.J.
 Armstrong, J.

DIVISION SIX

B155138 People
 v.
 Moss

Filed order modifying opinion. Petition for rehearing is denied. (No change in the judgment)

DIVISION SEVEN

Court convened at 9:00 A.M.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J., Munoz, J. (Assigned) and Eva McClintock, Deputy Clerk.

Each of the following:

B160402 People v. McGowan
B160719 People v. Chavarria
B161583 People v. Martinez
B161825 People v. Connors
B162361 People v. Ashley C.
B162683 People v. Goffney
B163585 People v. Tardy
B164270 People v. Pastor
B165256 People v. Mark C.

Argument waived, cause submitted.

B161894 People
 v.
 Johannesman
 Jackson

Merits:

Argued by Elizabeth Bumer for appellant Johannesman and by G. Tracey Letteau, Deputy Attorney General for respondent. Argument was waived as to appellant Jackson. Cause submitted.

DIVISION SEVEN (Continued)

B157868 People
 v.
 Riva

Merits:

Argued by Emery Allen for appellant and by Carl Henry, Deputy Attorney General for respondent. Cause submitted.

B163258 People
 v.
 Contreras

Merits:

Argued by Allison Ting for appellant and by J. Michael Lehman, Deputy Attorney General for respondent. Cause submitted.

B159451 People
 v.
 Robinson

Merits:

Argued by Richard Schwartzberg for appellant and by Michael Katz, Deputy Attorney General for respondent. Cause submitted.

B160445 People
 v.
 Berry, Freeman and Hall

Merits:

Argued by Joseph Ungvari, Leslie McMurray and Richard Doctoroff for appellants and by Marc Kohm, Deputy Attorney General for respondent. Cause submitted.

DIVISION SEVEN (Continued)

B158740 People
 v.
 Garcia, Jr.

Merits:

Argued by A. William Bartz for appellant and by Susan Pithey, Deputy Attorney General for respondent. Cause submitted.

B168742 In re Alvaro Garcia, Jr. on Habeas Corpus

OSC:

Argued by A. William Bartz for petitioner and by Susan Pithey, Deputy Attorney General for respondent. Cause submitted.

B162515 In re George A. Ruiz on Habeas Corpus

OSC:

Argued by Richard Fitzer for petitioner and by Stephanie Miller, Deputy Attorney General for respondent. Cause submitted.

B169107 In re Leonard J. McSherry on Habeas Corpus

OSC:

Argued by Mark Overland for petitioner and by Jessica Goulden, Deputy District Attorney for respondent. Cause submitted.

B167912 KB Home, et al.
 v.
 Superior Court, Los Angeles County
 (Consolidated Industries et al.,, r.p.i.)

Merits:

Argued by Gregory Dillion for petitioners and by Jeffrey Richardson for real parties in interest. Cause submitted.

DIVISION SEVEN (Continued)

B168257 Ralphs Grocery Co.
 v.
 Superior Court, Los Angeles County
 (Swanson, r.p.i.)

Merits:
Argued by Thomas Hill for petitioner and by Ian Herzog for real party in
interest. Cause submitted.

Court recessed at 12:22 P.M.

Court reconvened at 1:30 P.M.

Present: Perluss, P.J., Johnson, J., Woods, J., Zelon, J., Munoz, J. (Assigned) and Eva
McClintock, Deputy Clerk.

B159820 Ali
 v.
 L.A. Focus

Merits:
Argued by Leo Terrell for appellant and by Angela Reddock for
respondent. Cause submitted.

B159594 Morohoshi
 v.
 Harbor Regional

Merits:
Argued by Joseph Lange for appellant and by Alexander Giovanniello for
respondent. Cause submitted.

B156077 Miglin
 v.
 Hirsch

Merits:
Argued by Stephen Caine for appellant and by Abraham Resisa for
respondent. Cause submitted.

October 2, 2003 (Continued)

DIVISION SEVEN (Continued)

B137295 PBA, et al.
v.
KPOD, et al.
Sailor Kennedy

Merits:

Argued by Michael Berger for appellants and by Federico Sayre and Sailor Kennedy for respondents. Cause submitted.

Court adjourned at 3:42 P.M.

DIVISION EIGHT

B162362 People (Not for Publication)
v.
Sean S.

The order is reversed and the matter is remanded for resentencing.

Rubin, J.

We concur: Cooper, P.J.
Boland, J.